

C-177456

Traffic Officer J. Cavazos, Jr. #0240

19-21116

IN THE NAME AND IN THE AUTHORITY OF THE STATE OF TEXAS

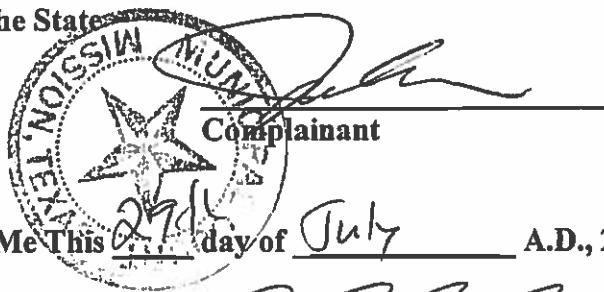
I, Traffic Officer J. Cavazos, Jr. #0240, do solemnly swear that I have good reason to believe, and do believe and charge, there heretofore, on the 27th Day of July A.D., 2019 in the County of Hidalgo and State of Texas, Ruby Esparza (DOB 10/18/1995), hereinafter called Defendant, then and there, after having observed the commission of a felony under circumstances in which a reasonable person would have believed that an offense had been committed in which serious bodily injury or death may have resulted, to wit an auto pedestrian hit & run crash, intentionally and knowingly failed to immediately report the commission of the offense to a peace officer or law enforcement agency, and a reasonable person would have then and there believed that the commission of the offense had not been reported, and the person could have immediately reported the commission of the offense without placing herself in danger of suffering serious bodily injury or death. The offense is a Class "A" Misdemeanor Under Texas Penal Code 38.171(b) Fail To Report Felony with Serious Bodily Injury or Death.

Probable Cause:

On July 27, 2019 at about 4:00 A.M. I, Traffic Investigator Jose Cavazos, Jr. #0240, was called to report to a fatal hit & run Crash on the 900 block of W. IH-2 westbound. Upon arrival I observed a blue KIA Sportage displaying TX-BZF1640 parked on the improved shoulder with damage to the left driver's door and left front fender. Further west I observed in the grass median a body identified as Jesus Zamudio (09/25/1996), a 22 year old male. Debris was found on the scene, that included a right hand door rearview mirror which contained a part number. Spikes Ford parts department confirmed that the part was exclusive to a 2015-2019 Gray Ford Mustang GT.

On July 29th, 2019 at about 1:00 A.M., almost 2 days later (approx 46 hrs), Mauro Esparza III (08/14/1996) and Ruby Esparza (10/18/1995) arrived to the Mission Police Department to report that they were involved in a crash which resulted in damage to a vehicle and death to Jesus Zamudio. Ruby Esparza provided a video recorded statement of accused that she was a passenger of the gray Ford Mustang displaying TX-KJX0128 after a night of drinking alcohol in downtown McAllen. She said Mauro Esparza III was driving her home. She stated that she fell asleep in the car but was woken by the collision with the KIA Sportage. She then asked Mauro what happened. Mauro replied by saying he had just his a vehicle. She was then dropped off at home and observed the damage to the Mustang. She said that she told Mauro that his door rearview mirror was missing. She said that Mauro relied that it was just material things. She then refused to continue with the interview. A look at the Mustang revealed that the windshield area and right front fender area contained blood, strands of hair and other human tissue. As per Defendant after knowing her involvement in the crash she failed to report it. The defendant debated about turning herself in. At about 1:00 A.M. on July 29, 2019 the defendant made the decision to come in to the police department to report the crash.

Against the Peace and Dignity of the State



Sworn To and Subscribed Before Me This 27th day of July A.D., 2019

Judge, Municipal Court, Mission, Tx.